		The undersigned, legal owner(s) of	the property situate in Baltimore County ched hereto and made a part hereof, hereby	and which is petition for a				
			1 to permit a side yard setback of					
			· 					
		of the Zoning Regulations of Baltimore C following reasons: (indicate hardship or	ounty, to the Zoning Law of Baltimore Copractical difficulty)	ounty; for the				
		Driveway is used for walkw	ay and parking space, so it is neces	sary to				
		use most of the space between h	ouse and property line. There is a	tree direc				
		behind designated driveway preventing building in the yard at end of driveway						
		Property is to be posted and adve	rtised as prescribed by Zoning Regulations	<b>}.</b>				
ř		I, or we, agree to pay expenses of a petition, and further agree to and are to Baltimore County adopted pursuant to the	bove Variance advertising, posting, etc., upo be bound by the zoning regulations and he Zoning Law For Baltimore County,	n filing of th restrictions				
,			I. We do solemnly declunder the penalties of perare the legal owner(s) or which is the subject of this	ury, that I'w f the proped				
		Contract Purchaser:	Legal Owner(s):					
		(Type or Print Name)	Joseph R. McLaughlin (Type or Print Name)					
		Signature	Joseph R. m. La Signature	ughlen				
		¥	Medie G. McLaughlin					
9		Address	(Type or Print Name) Medic H. Mc Law	1/1				
	À	and State	Signature	eaun:				
FOR FILING	67	Attorizy for Petitioner:						
F0	1	7()	Address	Phone Np.				
URDER RECEIVED	1	(179e or Print Name)		¹				
CEL	J.	Stature	City and State					
RE(	Y	Xidress	Name, address and phone number of tract purchaser or representative to	legal owner, c be contacted				
H.	اب	1	Mr. & Mrs. J. R. McLaughl:	in				
RD	DATE	Cky and State	Name 14 Lombardy Drive	284-0647				
)		Aftorney's Telephone No.:	Address	Phone No.				
(	8-14	ORDERED By The Oning Commi	ssioner of Baltimore County, this14	th c				
í	9 <b>-1</b>	of August 19 84 required by the Zoning Law of Baltimo	re County, in two newspapers of general circ posted, and that the public hearing be had be Room 106, County Office Building in Tou	e advertised, ulation throu efore the Zon				
		County, on the15th						
		MXX. A.M.	Callfa	blu				
			Zoning Commissioner of B.	altimore Cour				
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e same and disperse				, , , , , , , , , , , , , , , , , , , ,				

HARRY J. PISTEL, P. E.

Mr. Arnold Jablon Zoning Commissioner

Dear Mr. Jablon:

County Office Building

Towson, Maryland 21204

DIRECTOR

August 31, 1984

Re: Item #32 (1984-1985)

District: 12th

The following comments are furnished in regard to the plat submitted to this

office for review by the Zoning Advisory Committee in connection with the subject

The Petitioner must provide necessary drainage facilities (temporary or

result in a sediment pollution problem, damaging private and public holding down-

Development of this property through stripping, grading and stabilization could

Very truly yours,

Bureau of Public Services

permanent) to prevent creating any nuisances or damages to adjacent properties,

especially by the concentration of surface waters. Correction of any problem

which may result, due to improper grading or improper installation of drainage

stream of the property. A grading permit is, therefore, necessary for all

As no public facilities are involved, this office has no comment.

facilities, would be the full responsibility of the Petitioner.

grading, including the stripping of top soil.

Property Owner: Joseph R. McLaughlin, et ux

N/S Lombardy Dr. 343.44' N. of Parkwood Rd.

GLEERT S. BENSON, P.E., Asst, Chief

Acres: 50/50 x 120.62/130.86

DALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204 NORMAN E GERBER DRECTOR Zoning Commissioner County Office Building Towson, Maryland 21204 Re: Zoning Advisory Meeting of 8-14-84 Property Owner: Joseph R. McLaughlin, et ut Location: NIS Lombardy Drived Not Parkwood Rd. The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are ( X )There are no site planning factors requiring comment.
)A County Review Group Meeting is required. A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. Torward by the bureau of Public Services.

( )This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

( )A record plat will be required and must be recorded prior to issuance of a building permit. )The access is not satisfactory. )The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.

This property contains soils which are defined as wetlands, and development on these soils is prohibited. )Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Development of this site may constitute a potential conflict with the Baltimore County Master Plan. )The amended Development Plan was approved by the Planning Board )Landscaping should be provided on this site and shown on the plan. Jiandscaping should be provided on this site and shown on the plan.

The property is located in a deficient service area as defined by
Bill 178-79. No building permit may be issued until a Reserve

Capacity Use Certificate has been issued. The deficient service The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. )Additional comments:

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Phyllis Cole- Frickinan

People's Counsel for Baltimore County

::::::

ENTRY OF APPEARANCE

captioned matter. Notices should be sent of any hearing dates or other

proceedings in this ma ter and of the passage of any preliminary or final

Please enter the appearance of the People's Counsel in the above-

Phyllis Cole Friedman

Peter Max Zimmerman

Towson, MD 21204

I HEREBY CERTIFY that on this 25th day of September, 1984, a

copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs.

Joseph R. McLaughlin, 14 Lombardy Drive, Baltimore, MD 21222, Petitioners.

Deputy People's Counsel Rm. 223, Court House

N/S of Lombardy Dr., 343.44'

Dr.), 12th District

Petitioners

et ux Case #85-43.44' N of Parl y Drive) 12th

N of Parkwood Rd. (14 Lombardy

JOSEPH R. McLAUGHLIN, et ux,

BALTIMORE COUNTY **ZONING PLANS** ADVISORY COMMITTEE

PETITION AND SITE PLAN

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE Ontober 5, 1984 COUNTY OFFICE SLOG. Mr. & Mrs. Joseph R. McLaughlin 4 Lombardy Drive Ealtimore, Maryland 21222 Nicholas B. Commodar RE: Case No. 85-97-A (Item No. 32) Petitioner - Joseph R. McLaughlin, et ux Variance Petition Bureau of Dear Mr. & Mrs. McLaughlin: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Department of Traffic Engineering State Roads Commission Bureau of Fire Provention Realth Department Project Planning Building Department Board of Engcation Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. Zoning Administration Very truly yours, Kehla B- Commelan fire NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee NBC:bsc

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586
494-4500 PAUL H REINCKE

August 14, 1984 Mr. William Hammond Coming Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property Owner: Joseph R. McLaughlin, et ux

Location: N/S Lombardy Drive 343.44' N. of Parkwood Road Zoning Agenda: Meeting of August 14, 1984

Item No.: 32

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required

to be corrected or incorporated into the final plans for the property. ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the

Department of Public Works.

( ) 2. A second means of vehicle access is required for the site. ( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall

comply with all applicable requirements of the National Fire Protection Association Standard No. 101 \*Life Safety Code\*, 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER PLANT Group Noted and Planning Group Fire Prevention Bureau Special Inspection Division

JK/mb/cm

DALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES TOWSON MARYLAND 21204 494-3610

Enclosures

August 29, 1984

Mr. Arnold Jablon, Zoning Commissioner

Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 32 Zoning Advisory Committee Meeting are as follows:

Joseph R. McLaughlin, et ux N/S Lombardy Drive 343.44' N. of Farkwood Road Existing Zoning: D.R. 5.5 Proposed Zoning: Variance to permit a side yard setback of l' in lieu of the required 7.5'.

Acres: 50/50 x 120.62/130/86

The items checked below are applicable:

Section/s \_\_\_\_\_

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 Structure Product to the Baltimore County Building Code 1981/Council

miscellaneous

B. A building/& other / permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal it/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

r. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a parmit application.

E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Pamily use group of an adjacent lot line mall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to thru the services of a negistered in maryiana architect of mighter certain this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(1.) Comments - If the construction is on the property line, a two hour noncombustible firewall separation is required, supporting members closer than 3'0 shall be one hour rated. See Item "E" above or Section 203 in the one and two family code.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chasspeake Ive.,

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Order and in the content of the cont

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this -

day of \_\_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon Date September 24, 1984

Norman E. Gerber, Director FROM Office of Planning and Zoning

SUBJECT 85-100-A, 85-101-A, and 85-102-A

Zoning Petition Nos. 85-97-A,

TO Zoning Commissioner

There are no comprehensive planning factors requiring comment on this petition.

Office of Planning and Zoning

NEG/JGH/sf

BEFORE THE IN RE: PETITION ZONING VARIANCE \* N/S of Lombardy Drive, 343.441 ZONING COMMISSIONER of Parkwood Road (14 Lombardy \* Drive) - 12th Election OF BALTIMORE COUNTY District Joseph R. McLaughlin, et ux, \* Case No. 85-97-A Petitioners \* \* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein reques variance to permit a side yard setback of one foot instead of the required 7.5 feet in order to construct a carport, as shown on Petitioners' Exhibit 1.

The Petitioner, Joseph R. McLaughlin, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5, is improved with a detached dwelling which faces Lombardy Drive. The driveway extends from Lombardy Drive to the side of the house bordering the left property line, approximately one foot from the boundary. The Petitioners propose to construct a 10' x 27' carport the entire length of the side of the house. The placement of the carport is logical due to the location of the driveway. To construct it on the other side of the house would require another driveway and removal of the existing one. An existing porch and trees, which would need to be removed, prevent 2ts construction in the rear yard.

Additionally, it should be noted that variances for other carports have been granted in the area. It is equally important to note that this carport is comparible with the neighborhood inasmuch as all driveways and their carports are located on the left side of the homes.

The Petitioners seek relief from Section 1802.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

ZONING DESCRIPTION

Beginning on the North side of Lombardy Drive at the distance of 343.44

feet north of Parkwood Road. Being lot 257 in the subdivision of Gray Manor

Book No. 13. Folio 34. Also known as 14 Lombardy Drive in the 12th. Election

URDE

District.

An area variance may be granted where strict application of the zoning

regulation would cause practical difficulty to the petitioner and his property. McLean Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

 whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition the variance requested will not be detrimental to the public health, safe-

y, 🗯 general welfare. Eursuant to the advertisement, posting of the property, and public hearing on the Petition held, and for the reasons given above, the variance requested should be granted.

Threefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of October, 1984, that the Petition for Zoning Variance to

parit a side yard setback of one foot instead of the required 7.5 feet be and

PETITION FOR VARIANCE 12th Election District

LOCATION:

North side of Lombardy Drive, 343.44 feet North of Parkwood Road (14 Lombardy Drive)

DATE AND TIME: Monday, October 15, 1984 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 1 foot in lieu of the required 7.5 feet.

Being the property of <u>Joseph R. McLaughlin</u>, et ux the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

following restrictions:

is hereby GRANTED, from and after the date of this Order, subject to the

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

cc: Mr. & Mrs. Joseph R. McLaughlin People's Counsel

VED FOR FILING OROER DATE

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON ZONING COMMISSIONER

October 9, 1984

- 3 -

Mr. and Mrs. Joseph R. McLaughlin 14 Lombardy Drive Baltimore, Maryland 21222

RE: Petition for Variance N/S Lombardy Dr., 343.44' N of Parkwood Rd. (14 Lombardy Dr.) Joseph R. McLaughlin, et ux - Petitioners Case No. 85-97-A

Dear Mr. and Mrs. McLaughlin:

This is to advise you that \$40.50 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Chice Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 134366 VOLD JABLON ing Commissioner

Octable 151984, CCOUNT K-U1.615-100

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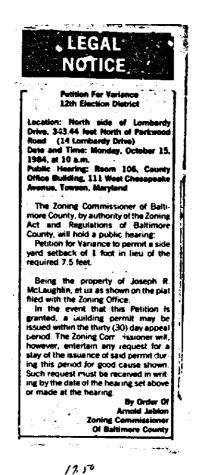
VALIDATION OR SIGNATURE OF CASHIE



Dundalk, MD., 007.8, 1984 THIS IS TO CERTIFY, that the annexed advertisement was published in THE BALTIMORE COUNTY JOURNAL, a weekly newspaper, published in Dundalk, Baltimore County, Maryland, appearing on SEPTEMBER 27 , 1989

The Baltimore County Journal,

Publisher



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Mr. and Mrs. Jose 14 Lombardy Drive	eph R. McLaughlin		
Baltimore, Maryla	and 21222		
	RE: Petition f N/S of Lombardy	y Drive, 343.44 ft. N ad (14 Lombardy Drive) ughlin, et ux - Petit	) lone <del>r</del>
TIME:	10:00 A.M.		
DATE:	Monday, October 1 1	984	
	E: Room 106, County Off		st Chesapeake
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···	AND No. 131	1	oner
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September 14, 1984

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ZONING DEPARTMEN	ATE OF POSTING  NT OF BALTIMORE COUNTY  reen, Maryland
District 12 th	Date of Posting 10-1-84
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Location of property: 14 Lom bardy	Iin ctuf , Drive
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5 <b>-</b> 97 <b>-1</b>	

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of \_\_\_\_\_\_, 1984.

	Challe	
	ARNOLD JABLON / Zoning Commissioner	
	Paceived by Mublin Blomm	w
tioner goseph & M	Nicholas B. Commod Chairman, Zoning F	14

Peti Peti Attorney Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesar are Ave. Towson, Maryland 21204

Nicholas B. Commodari Chairman

Mr. & Mrs. J. R. McLaughlin 14 Lombardy Drive Baltimore, Maryland 21222

MEMBERS Bureau of Department of Traffic Engineering State Roads Commission

Industrial Development

RE: Item No. 32 Petitioner - J. R. McLaughlin, et ux Variance Petition

Bureau of Dear Mr. & Mrs. McLaughlin: Health Department

After reviewing the above referenced petition, I have Project Planning determined that I must discuss this matter with you before I can schedule the petition for a hearing. Building Department Board of Education Zoning Administration

In view of this, please contact me at 494-3391 as soon as possible.

August 30, 1984

Very truly yours,

MBC NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC:bsc

CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE
12th Election District LOCATION: North side of Lombardy Drive, 343.44 feet North of Parkwood Road (14 Lombardy Drive) DATE AND TIME: Monday, October 15, 1984 at 10:00 a.m. October 15, 1806 at 19100
PUBLIC HEARING: Room
106, County Office Building,
111 W. Chesapeake Avenus,
Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regu-lations of Baltimore County, will hold a public hearing. Petition for Variance to per-mit a side yard setback of 1 foot in lieu of the required 7.5 feet.

Being the property of Joseph
R. McLaughlin, et ux, as
shown on the plat filed with
the Zoning Office. In the event that this Peti-tion is granted, a building permit may be issued within the thirty (30) day appeal pewill, however, entertain any request for a stay of the issuance of said permit during this period for good cause shows. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of ARNOED JABLON Zoning Commissioner of Baltimore County

TOWSON, MD., September 27, 19 84 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 27, 1984

THE JEFFERSONIAN,

Publisher

Cost of Advertising